

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**CIVIL ACTION NO. C-1-00-869**

MARK R. HOOP and  
LISA J. HOOP

PLAINTIFFS/  
COUNTERCLAIM DEFENDANTS

V.

**MOTION FOR RETURN OF BOND**

JEFFREY W. HOOP, STEPHEN E. HOOP, and  
HOOPSTERS ACCESSORIES, INC.

DEFENDANTS/  
COUNTERCLAIM PLAINTIFFS

Defendants/Counterclaim Plaintiffs, Jeffrey W. Hoop, Stephen E. Hoop, and Hoopsters Accessories, Inc. (collectively "Defendants"), by counsel, move the Court for an Order releasing the \$10,000.00 cash bond to their legal counsel, Stella B. House, J.D. As grounds for this Motion, Defendants state that Defendants now seek the release of the bond and the distribution of the funds to Defendants' legal counsel in light of the favorable decision by the federal court. Rule 65(c), which governs security for preliminary injunctions, provides that the party moving for a preliminary injunction is required to give security to cover the "payment of such costs and damages as may be incurred or suffered by a party who is found to have been wrongfully enjoined or restrained." Fed.R.Civ.P.65(c). Because the injunction against Plaintiffs/Counterclaim Defendants (collectively "Plaintiffs") was properly issued by the Court, the bond serves no purpose.

**WHEREFORE**, Defendants, by counsel, respectfully request that the Court issue an order releasing the bond held by the Court and returning the entire \$10,000.00 bond, including accrued interest, to Defendants' legal counsel. A proposed Order is attached hereto.

STELLA B. HOUSE,  
ATTORNEY-AT-LAW, P.S.C.  
Post Office Box 422  
Manchester, Kentucky 40962-0422  
(606) 598-1485

By: Stella B. House, J.D.  
Stella B. House, J.D.  
Counsel for Defendants/  
Counterclaim Plaintiffs  
Kentucky Bar No. 81805

**NOTICE**

The foregoing Motion for Return of Bond will be heard at the convenience of this Honorable Court.

STELLA B. HOUSE  
ATTORNEY AT LAW, P.S.C.

By: Stella B. House, J.D.  
Stella B. House, J.D.  
Counsel for Defendants/  
Counterclaim Plaintiffs

**CERTIFICATE OF SERVICE**

I certify that an accurate copy of the Motion for Return of Bond was hand-delivered to Alfred J. Mangels, Esq., Counsel for Plaintiffs/Counterclaim Defendants, 4729 Cornell Road, Cincinnati, Ohio 45241, and Timothy A. Magee, Esq., Co-Counsel for Plaintiffs/Counterclaim Defendants, 130 Sherman Drive, Findlay, Ohio 45840, on February 11, 2004.

STELLA B. HOUSE  
ATTORNEY AT LAW, P.S.C.

By: Stella B. House, J.D.  
Stella B. House, J.D.  
Counsel for Defendants/  
Counterclaim Plaintiffs